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WASHINGTON, D.C.

April 18, 2008

BY ECF and FACSIMILE

The Honorable Colleen McMahon
United States District Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

RE: Bibi de Malmanche vs. Glenrock Inc., et al., Civil Action No. 07-10940 (CM)(KNF)

Dear Judge McMahon:

We represent the plaintiff, Bibi de Malmanche, in connection with the above referenced matter. This letter is being filed on behalf of all parties to request modifications of the expert-related deadlines set forth in the January 23, 2008 Scheduling Order. Please note that the parties are not requesting an extension of the discovery cutoff deadline which is July 15, 2008.

Pursuant to the Scheduling Order, plaintiff's expert report is due no later than April 22, 2008. However, given the volume and location, overseas, of outstanding expert-related discovery, it will be impossible to meet this deadline. The parties seek a modification of the Scheduling Order that will (1) adjourn the date for plaintiff's expert report to May 13, 2008; (2) adjourn the date for the deposition of plaintiff's expert to June 2, 2008; (3) adjourn the date for defendants' expert report to June 13, 2008, (4) and adjourn the date for the deposition of defendants' expert to July 11, 2008. No such request has previously been made. A proposed Revised Scheduling Order is attached.

Very truly yours,

A handwritten signature in black ink, appearing to read "JR", written over the typed name "Jeanette Rodriguez-Morick".

Jeanette Rodriguez-Morick

Enclosure

cc: Ross Hooper, Esq. (*By Email*)

Jeanette.Rodriguez-Morick@ThompsonHine.com Phone 212.908.3971 Fax 212.344.6101

JRM 163052.1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Bibi De Malmanche,

Plaintiff(s),

07 Civ.10940 (CM)(KNF)

- against -

Glenrock Asset Management Associates, L.P., et al.,

Defendants.

-----X

CIVIL CASE MANAGEMENT PLAN

1. This case is to be tried by a jury.
2. Discovery pursuant to Fed.R.Civ.P. 26(a) shall be exchanged by February 13, 2008.
3. No additional parties may be joined after April 1, 2008.
4. No pleading may be amended after May 15, 2008.

5. If your case is brought pursuant to 42 U.S.C. § 1983: In keeping with the United States Supreme Court's observation that the issue of qualified immunity should be decided before discovery is conducted, counsel representing any defendant who intends to claim qualified immunity must comply with the special procedure set forth in Judge McMahon's individual rules, which can be found at www.nysd.uscourts.gov.

Failure to proceed in accordance with the qualified immunity rules constitutes a waiver of the right to move for judgment on the ground of qualified immunity prior to trial. *Please identify any party who is moving to dismiss on qualified immunity grounds.*

6. All discovery, *including expert discovery*, must be completed on or before July 15, 2008. PLEASE NOTE: the phrase "all discovery, including expert discovery" means that the parties must select and disclose their experts' identities and opinions, as required by Fed.R.Civ.P. 26(a)(2)(B), *well before* the expiration of the discovery period. Expert disclosures conforming with Rule 26 must be made no later than the following dates: Plaintiff's expert report by May 13, 2008; Plaintiff's expert shall be deposed by

June 2, 2008; Defendants' expert report by June 13, 2008; Defendants' expert shall be deposed by July 11, 2008.

7. Judge McMahon's Rules governing electronic discovery apply automatically to this case. The parties must comply with those rules unless they supercede it with a consent order. The text of the order will be found at www.nysd.uscourts.gov.

8. This case has been designated to the Hon. United States Magistrate Kevin Nathaniel Fox for resolution of discovery disputes. Do not contact Judge McMahon about discovery disputes; go directly to your assigned Magistrate Judge. Discovery disputes do not result in any extension of the discovery deadline in non-pro se cases. *The Magistrate Judge cannot change discovery deadlines unless you agree to transfer the case to the Magistrate Judge for all purposes.* Judge McMahon does not routinely grant extensions so counsel are warned that if they wait until the last minute to bring discovery disputes to the attention of the Magistrate Judge, they may find themselves precluded from taking discovery because they have run out of time.

9. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules, together with all other pre-trial submissions required by those rules (not including *in limine* motions), shall be submitted on or before September 29, 2008. Following submission of the joint pre-trial order, counsel will be notified of the date of the final pre-trial conference. *In limine* motions must be filed within five days of receiving notice of the final pre-trial conference; responses to *in limine* motions are due five days after the motions are made. Cases may be called for trial at any time following the final pre-trial conference.

10. No motion for summary judgment may be served after the date the pre-trial order is due. *The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pre-trial order and other pre-trial submissions on the assigned date.*

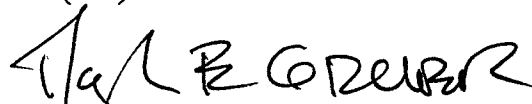
11. The parties may at any time consent to have this case tried before the assigned Magistrate Judge pursuant to 28 U.S.C. Section 636(c).

12. This scheduling order may be altered or amended only on a showing of good cause that is not foreseeable at the time this order is entered. *Counsel should not assume that extensions will be granted as a matter of routine.*

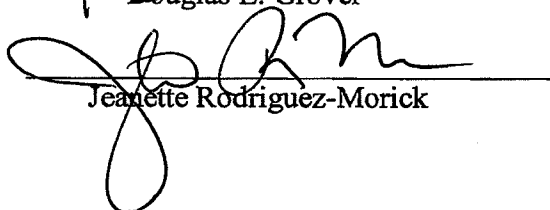
Dated: April 18, 2008
New York, New York

Upon consent of the parties:

Attorneys for Plaintiff
THOMPSON HINE LLP
335 Madison Avenue, 12th Floor
New York, NY 10017
Telephone (212) 344-5680
Fax (212) 344-6101

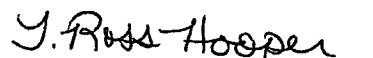


Douglas E. Grover



Jeanette Rodriguez-Morick

Attorneys for Defendants
SEWARD & KISSEL LLP
One Battery Park Plaza
New York, New York 10004
Telephone (212) 574-1200
Fax (212) 480-8421



Thomas Ross Hooper

SO ORDERED:

Hon. Colleen McMahon
United States District Judge